

// A special meeting of the Council of the City of Lynchburg, recessed from April 13, was held on the 20th day of April, 2004, at 1:00 P.M., Second Floor Training Room, Carl B. Hutcherson, Jr., President, presiding. The purpose of the meeting was to conduct a work session to discuss balancing the Proposed FY 2005 Budget. The following Members were present:

Present: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson	7
Absent:	0

// City Manager Kimball Payne provided City Council with a revised balance sheet based on budget decisions of April 13. Commonwealth Attorney William Petty responded to questions regarding his request to restore \$40,955 to the FY2005 Budget to implement a pay scale for attorneys in his office. City Council discussed the City's Take Home Vehicle policy and asked that Police Chief Bennett and Sheriff Gillespie attend the April 27 work session to respond to questions regarding previously furnished information. City Council also asked that Schools representatives attend the April 27 work session to discuss a recent audit finding showing that the Schools are making annual prepayments to the Laurel program in the amount of \$1 million, and that Chamber of Commerce representatives attend to discuss the Tourism program.

City Council discussed whether or not to restore funding to the Lynchburg Public Library, and on motion of Council Member Seiffert, seconded by Council Member Foster, Council by the following recorded vote agreed to restore \$141,240 funding in the FY 2005 Budget to the Lynchburg Public Library:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson	7
Noes:	0

City Council also discussed whether or not to restore funding for the General Relief Program, and on motion of Council Member Adams, seconded by Council Member Seiffert, Council by the following recorded vote agreed not to restore funding in the FY 2005 Budget for the General Relief Program:

Ayes: Adams, Barksdale, Garber, Seiffert, Hutcherson	5
Noes: Dodson, Foster	2

Vice Mayor Dodson presented two alternatives prepared by staff regarding balancing the FY2005 Budget. Following discussion, City Council agreed to meet again on April 27 to work towards finalizing the FY2005 Budget.

// The meeting was recessed at 4:55 p.m. to April 21 at 2:00 p.m., to conduct a work session regarding proposed changes to the City's sign ordinance.

Clerk of Council

// A special meeting of the Council of the City of Lynchburg, recessed from April 20, was held on the 21st day of April, 2004, at 2:00 P.M., in the Second Floor Training Room, City Hall, Bert Dodson, Jr., Vice President, presiding. The purpose of the meeting was to conduct a work session regarding proposed changes to the City's sign ordinance. The following Members were present:

Present: Adams, Barksdale, Dodson, Foster, Garber, Seiffert

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Absent: Hutcherson

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// City Manager Kimball Payne distributed a revised list of issues relating to both the existing and the proposed sign ordinance. Community Planning Director Rachel Flynn and Gary Case, a member of the Sign Committee, were present to respond to questions regarding the proposed changes. City Attorney Walter Erwin stated that he is looking into areas where the proposed sign ordinance might conflict with constitutional case law, but that it doesn't appear that the ordinance's major goals, i.e., restricting the size and height of new signs in the city, face any constitutional problems. City Council discussed and reached consensus regarding several of the proposed changes to the sign ordinance, but recognized that another work session was needed prior to the June public hearing. City Council scheduled another work session for April 27 at 5:15 p.m.

// The meeting was recessed at 5:08 p.m. to April 27, at 1:00 p.m., to continue discussion regarding the FY2005 Budget.

Clerk of Council

// A special meeting of the Council of the City of Lynchburg, recessed from April 21, was held on the 27th day of April, 2004, at 1:00 P.M., Second Floor Training Room, Carl B. Hutcherson, Jr., President, presiding. The purpose of the meeting was to conduct a work session regarding the Proposed FY 2005 Budget. The following Members were present:

Present: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson

7

Absent:

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// Donna Witt, Assistant Director for Financial Services, provided an overview regarding FY2004 Third Quarter Budget Adjustments. Ms. Witt explained that a public hearing regarding this item is scheduled for the May 11 Council meeting.

// Chamber of Commerce representatives, Rex Hammond, President, and Lisa Meriwether, VP of Tourism Services, presented information and responded to questions regarding the lease and operating agreement between the City and the Lynchburg Regional Chamber of Commerce. In response to questioning, Mr. Hammond stated that the part time staff at the Visitors Center are paid employees and not volunteers. Mr. Hammond did note that all funds received from the City for the Tourism Program go directly to that program.

// Lynchburg Public Schools Superintendent James McCormick along School Board Chair Lyle Schweitzer responded to questions regarding a recent audit finding showing that the Schools are making annual prepayments to the Laurel program in the amount of \$1 million. Council Member Adams expressed concern that by making the prepayments with unused funds at the end of each fiscal year, the School system has been able to avoid spending the money appropriated in its budget for the Laurel program and has thus built up a reserve in its budget that could be used for other purposes. Council Member Adams suggested that the money be used to help pay down the debt on the \$29 million renovation of E. C. Glass High School.

// City Manager Kimball Payne presented additional information regarding the City's Take Home Vehicle Policy and noted that Police Chief Bennett along with Major Sloan of the Sheriff's Office were present to respond to any questions regarding usage of the take home vehicles by their employees.

// City Manager Kimball Payne provided information and responded to questions regarding the Fire Department's Certification and Master Firefighter programs.

// City Manager Kimball Payne provided a history of the annual operating subsidy provided by the City to the Airport since 1997.

// City Council again discussed ways to balance the FY2005 Budget. City Manager Kimball Payne provided information regarding a proposal before the Virginia General Assembly that may negatively impact the City's personal property program/revenue. City Manager Payne then provided City Council with a revised balance sheet based on budget decisions of April 20. City Council discussed the two alternate proposals presented at the April 20 work session. Mr. Payne explained that the only difference between Alternate A and Alternate B is whether to increase Business Property Tax to \$4.00 (Alternate A) or reduce Personal Property from \$4.00 to \$3.95 and increase Business Property Tax to \$3.95 (Alternate B). City

Council also asked the City Manager to draft a letter to the Schools to strongly encourage them not to use the \$1 million as a prepayment for the Laurel program, and to instead use those funds to offset debt service for the E. C. Glass High School renovation project. Due to time constraints, City Council agreed to continue discussion regarding the FY2005 Budget following the 5:00 p.m. Council meeting.

// The meeting was adjourned at 4:45 p.m.

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 27th day of April, 2004, at 5:00 P.M. in the Council Chamber, City Hall, Carl B. Hutcherson, Jr., President, presiding. Council Member Barksdale gave the Invocation. The Pledge of Allegiance was led by the Police Officer in attendance. The following Members were present:

Present: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Absent: 0

// Copies of the minutes of the April 13 (two meetings), 2004 meetings, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Barksdale, seconded by Council Member Adams, Council by the following recorded vote approved the minutes as presented:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Fire - General, Resolution #R-04-038 amending the FY2004 General Fund Budget and appropriating \$40,500 to the Fire and EMS Department for the purchase and installation of nine (9) mobile digital terminals in selected departmental vehicles, laid over from the April 13, 2004 meeting, was again presented and read, and on motion of Council Member Barksdale, seconded by Council Member Adams, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Economic Development – General, Resolution #R-04-039 amending the FY 2004 General Fund Budget and appropriating \$150,000, fully reimbursable, for the StarTek project, laid over from the April 13, 2004 meeting, was again presented and read, and on motion of Council Member Barksdale, seconded by Council Member Adams, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Human Services – General, Resolution #R-04-040 amending the FY 2004 City/Federal/State Aid Projects Fund and appropriating \$5,632, fully reimbursable, for the Educational Support Special Initiative Grant, laid over from the April 13, 2004 meeting, was again presented and read, and on motion of Council Member Barksdale, seconded by Council Member Adams, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Public Works – General, Resolution #R-04-041 amending the FY2004 LEAF Fund Budget and appropriating \$217,500, fully reimbursable from donations, for Phase III of the LEAF project, laid over from the April 13, 2004 meeting, was again presented and read, and on motion of Council Member Barksdale, seconded by Council Member Adams, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Finance – Bonds, Resolution #R-04-048 amending the FY 2004-2009 Capital Improvement Plan and appropriating \$120,000 for the issuance costs associated with the issuance of \$47,895,000 General Obligation and Refunding Bonds, laid over from the April 13, 2004 meeting, was again presented and read, and on motion of Council Member Barksdale, seconded by Council Member Adams, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson

7

Noes:

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// In an item not on the agenda, Marge Denham on behalf of the Tree Stewards of Greater Lynchburg presented the City with a Tree City USA Flag and a copy of a proclamation recognizing Arbor Day in Lynchburg.

// Mayor Hutcherson read a proclamation proclaiming the week of May 2 – 8, 2004, as Municipal Clerks Week.

// The meeting was recessed at 5:06 P.M. to 5:15 p.m. to continue discussion regarding the FY2005 Budget and the proposed changes to the City's sign ordinance.

Clerk of Council

// A special meeting of the Council of the City of Lynchburg, recessed from its earlier 5:00 p.m. meeting, was held on the 27th day of April, 2004, at 5:15 P.M., Second Floor Training Room, Carl B. Hutcherson, Jr., President, presiding. The purpose of the meeting was to continue discussion regarding the FY2005 Budget and the proposed changes to the City's sign ordinance. The following Members were present:

Present: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Absent: 0

// City Council continued its earlier discussion regarding ways to balance the FY2005 Budget. City Council discussed the Commonwealth Attorney's request to restore \$40,955 to the FY2005 Budget to implement a pay scale for attorneys in his office. Following discussion, Vice Mayor Dodson made a motion, seconded by Council Member Seiffert, to provide a fixed annual subsidy of \$40,955 to the Commonwealth Attorney to address the salary concerns for attorneys in his office with the understanding that this fixed annual subsidy would be reevaluated every year by City Council during the budget process, and Council by the following recorded vote adopted the motion:

Ayes: Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 6

Noes: Adams 1

Following discussion regarding whether or not to increase the City's lodging tax, City Council reached consensus not to increase the City's lodging tax for FY2005.

Council Member Seiffert offered for Council consideration Alternate B with the following modifications, i.e., reduce from \$400,000 to \$200,000 the additional funding to the Schools to allow for a 1 cent reduction in the real estate tax rate for a rate of \$1.13 instead of \$1.14, and allow for a \$2.00 reduction in the proposed vehicle decal fee. Following discussion, Council Member Seiffert made a motion to adopt Alternate C. The motion died for lack of a second.

On motion of Vice Mayor Dodson, seconded by Council Member Barksdale, Council by the following recorded vote agreed to increase the amusement tax to 7%:

Ayes: Adams, Barksdale, Dodson, Foster, Seiffert, Hutcherson 6

Noes: Garber 1

On motion of Council Member Barksdale, seconded by Vice Mayor Dodson, Council by the following recorded vote agreed to increase the meals tax to 6-1/2%:

Ayes: Adams, Barksdale, Dodson, Seiffert, Hutcherson 5

Noes: Foster, Garber 2

On motion of Council Member Barksdale, seconded by Council Member Adams, Council by the following recorded vote agreed to increase the real estate tax rate to \$1.14:

Ayes: Adams, Barksdale, Dodson, Foster, Hutcherson 5

Noes: Garber, Seiffert 2

On motion of Council Member Seiffert, seconded by Vice Mayor Dodson, Council by the following recorded vote agreed to include motorcycles in the proposed personal property tax increase:

Ayes: Adams, Barksdale, Dodson, Foster, Seiffert, Hutcherson 6

Noes: Garber 1

On motion of Vice Mayor Dodson, seconded by Council Member Barksdale, Council by the following recorded vote agreed to apply the increased personal property tax rate to businesses and to set the rate at \$3.95:

Ayes: Adams, Barksdale, Dodson, Foster, Seiffert, Hutcherson 6

Noes: Garber 1

With the exception of Council Members Garber and Seiffert, Council agreed to set the vehicle decal fee at the maximum allowed by the state. It was also the consensus of City Council to increase the ambulance fees as proposed.

City Manager Payne explained that the previously-approved changes would be incorporated into the FY2005 Budget ordinances and presented to City Council for first reading at the May 11 meeting.

// City Council continued its discussion regarding proposed changes to the City's sign ordinance. City Manager Kimball Payne provided a revised issues list to reflect Council decisions through April 21, 2004.

City Manager Payne explained that City Council needed to reach a decision regarding the outstanding items on the list in order for an ordinance to be drafted for the June 8 public hearing. Vice Mayor Dodson argued that the proposed reduction from 24 to 15 feet in the height for signs in the B-3 and B-5 districts was too drastic and proposed that the height be increased from 15 to 18 feet. City Council discussed at length this proposal, and on motion of Council Member Seiffert, seconded by Council Member Adams, Council by the following recorded vote agreed to support the Committee's recommendation of 15 feet height for signs in B-3 and B-5 districts:

Ayes: Adams, Foster, Garber, Seiffert, Hutcherson 5

Noes: Barksdale, Dodson 2

City Council discussed and reached consensus to support the standards as proposed in the April 21 draft for the B-4 and B-6 districts and for the Industrial districts. City Council discussed and reached consensus on the remaining items in the list. City Manager Payne stated that the changes would be incorporated into a proposed sign ordinance for public hearing on June 8. City Attorney Walter Erwin stated that he would review the information he recently received to ensure that the City's sign ordinance does not conflict with constitutional case law.

// During roll call, Council Member Seiffert asked for a copy of the ordinance enacting the 10% penalty on late payment of real estate tax bills. In response to Council Member Foster's request, City Manager Kimball Payne stated that an update regarding the City's new Solid Waste Program has been scheduled for the June work session.

// The meeting was adjourned at 8:20 p.m.

Clerk of Council